

02/08/02  
1c806 U.S. PTO

REQUEST FORM AND FORMALITIES PRELIMINARY AMENDMENT FOR  
FILING A PATENT APPLICATION UNDER 37 C.F.R. 1.53(b)  
Submit an original and a duplicate for fee processing

Re Amends A/ #3  
J 3/9/02

1c971 U.S. PTO  
10/067870

02/08/02

THIS APPLICATION:		PRIOR APPLICATION:		TOTAL NO.
DOCKET NUMBER	FILING DATE	EXAMINER	ART UNIT	OF PAGES
P64057US2	February 8, 2002	G. Ewoldt	1644	89

Address to:

Commissioner of Patents  
Box Patent Application  
Washington, D.C. 20231

This is a request for filing a ☐ continuation or ☒ divisional application under 37 C.F.R. 1.53(b) of prior application Serial No. 09/424,246 filed on February 29, 2000, entitled PROCESS FOR THE PRODUCTION OF IMMUNOGLOBULIN A IN MILK by the following inventor(s).

Full Name of Inventor	Family Name	First Given Name	Second Given Name	City	State or Foreign Country	Country of Citizenship	Post Office State & Zip Code/
Residence & Citizenship	HODGKINSON	Alison	Joy	Hamilton	New Zealand	New Zealand	

Post Office Address	Address	City	Country
	1076 River Road,	Hamilton	New Zealand

Full Name of Inventor	Family Name	First Given Name	Second Given Name	City	State or Foreign Country	Country of Citizenship	Post Office State & Zip Code/
Residence & Citizenship	HODGKINSON	Steven	Charles	Hamilton	New Zealand	New Zealand	

Post Office Address	Address	City	Country
	1076 River Road,	Hamilton	New Zealand

☐ additional sheet(s) with inventors information attached

1. ☒ A Preliminary Amendment is enclosed.

2. ☒ [X] Cancel claim(s) 1-46 for purposes of lessening filing fees.

The filing fee is calculated on the basis of the claims existing in the prior application as amended by 1 and/or 2 above.

CLAIMS

Basic Fee \$370 \$740 = \$740.00

Total Claims 34 - 20 = 14 x 9 = \$ x 18 = \$252.00

Ind. Claims 2 - 3 = 0 x 42 = \$ x 84 = \$0

☐ Multiple Dependent  
Claims  $\frac{+140 = \$}{\text{Total } \$}$   $\frac{+ 280 = \$}{\text{Total } \$ 992.00}$

3 ☒ [X] The Commissioner is hereby authorized to charge fees under 37 C.F.R. 1.16 and 1.17 which may be required or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is enclosed.

4 ☐ [ ] This application is filed under Rule 53(f) and therefore the ☐ Filing Fee ☐ Declaration is not enclosed. All authorization to charge Deposit Account No. 06-1358 for 35 C.F.R. 1.16 fees previously made is revoked.

5 ☒ [X] A check in the amount of \$992.00 is enclosed.

6 ☒ [X] Amend the specification by inserting before the first line the sentence:

A1 This is a Divisional of application Serial No. 09/424,246 filed February 29, 2000.

☐ [ ] which in turn is

7. ☐ [ ] A verified statement claiming small entity status under 37 CFR 1.9 and 1.27:

a) ☐ [ ] was claimed by way of a declaration filed in prior application Serial No. \_\_\_\_\_.

b) ☐ [ ] is claimed by way of the attached declaration.

8. ☒ [X] Priority of application Serial No. 314959, filed on May 29, 1997 in New Zealand is claimed under 35 U.S.C. 119.

a) ☒ [X] Certified copy is on file in prior application, Serial No. 09/424,246.

b) ☐ [ ] Certified copy filed herewith.

9. ☒ [X] The prior application is assigned of record to AGRESEARCH LIMITED. (Copy Enclosed)

10. [X] The Power of Attorney in the prior application is to at least one of the following:

John Clarke Holman, 22,769; Harvey B. Jacobson, Jr., 20,851; Marvin R. Stern, 20,640; Allen S. Melser, 27,215; Michael R. Slobasky, 26,421; Jonathan L. Scherer, 29,851; Irwin M. Aisenberg, 19,007; William E. Player, 31,409; Yoon S. Ham, 45,307; and Nathaniel A. Humphries, 22,772.

a) [X] The power appears in the original papers of the prior application. (Copy Enclosed)

b) [ ] Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

11. [X] Petition to extend the life of the above prior application to at least the date hereof

(One box) [ ] is being concurrently filed in  
NOTE: (must be) that prior application.  
(X'd) [ ] was previously filed in that application.  
[X] is not necessary.

If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge any fees necessary under 37 CFR 1.17 (a)(1)-(5) to Deposit Account No. 06-1358.

12. [X] New formal drawings are enclosed.

13. [X] Enclosed is a copy of the Information Disclosure Statement (IDS) and PTO 1449 which was filed in Serial No. 09/424,246, filed February 29, 2000 which is relied on for an earlier filing date under 35 U.S.C. 120.

a) [ ] More than one IDS was filed in the above Serial No. and copies of each IDS, less the documents, are enclosed.

14. [ ] Enclosed is a copy of the PTO 892 which issued in Serial No. \_\_\_\_\_, filed \_\_\_\_\_ which is relied on for an earlier filing date under 35 U.S.C. 120.

a) [X] More than one PTO 892 issued in the above Serial No. 09/424,246 and copies of each PTO 892, less the documents, are enclosed.

15. [ ] Also enclosed is:

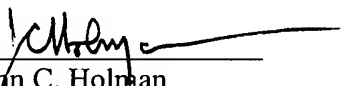
Address all future correspondence to:

Customer No. 00136  
or  
JACOBSON HOLMAN PLLC  
400 Seventh Street, N.W.  
Washington, D.C. 20004-2201  
Telephone 202/638-6666

Enclosed is a copy of the prior application including the Declaration as originally filed, application, namely Serial No. 09/424,246, filed on February 29, 2000. The entire disclosure of the prior application is hereby incorporated by reference.

Respectfully submitted,

By

  
John C. Holman  
Reg. No. 22,769  
JACOBSON HOLMAN PLLC  
400 Seventh Street, N.W.  
Washington, D.C. 20004  
(202) 638-6666

Signed this 8th day of  
February, 2002

☒ Attorney or Agent of record  
☒ Filed under 37 CFR 1.34(a)

JCH:SKS:VJB

#4

PATENTS  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Alison J. HODGKINSON et al

Serial No.: 09/424,246

Examiner: G. Ewoldt

Filed: February 29, 2000

Group Art Unit: 1644

For: PROCESSES FOR PRODUCTION OF IMMUNOGLOBULIN IN A MILK

**LETTER OF TRANSMITTAL OF FORMAL DRAWINGS**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Kindly place the attached formal drawings in the above-captioned application. It is requested that any minor changes which are deemed necessary by the Patent and Trademark Office be called to Applicant(s) attention.

Respectfully submitted,

JACOBSON, PRICE, HOLMAN & STERN, PLLC

By: \_\_\_\_\_

John C. Holman  
Registration No. 22,769  
400 Seventh Street, N.W.  
Washington, D.C. 20004  
(202) 638-6666

I.D.: JCH/dls

Folio: P64057US0

Date: March 5, 2001

Enclosures: Formal Drawings